Restaurant Keeper Guilty of Liquor Nuisance.—When one goes into a restaurant and orders a meal and liquor to accompany it, paying the waiter at the time for the liquor, and the waiter goes to a saloon and purchases the liquor with such money and then brings it to the restaurant and serves it, the Supreme Court of Iowa in Mullinnix *v.* Brown, 131 Northwestern Reporter, 671, holds that the restaurant keeper dispenses liquor in violation of the statute providing that one shall not manufacture, sell, exchange, barter, dispense, or give, in consideration of the purchase of any property or any services, any intoxicating liquors, and is therefore within the statute making one guilty of a nuisance who uses a building for any of the purposes prohibited by the first-mentioned statute.

Town Liable for Dog Bite?—The town of Littleton, Colo., has an ordinance that makes it unlawful to permit any vicious dog to run at large therein, and requires its marshal and police officers to kill any such dog. One Addington, a pedestrian in the town, who was bitten by a vicious dog knowingly permitted to run at large, sued the city because of the failure of its officers to enforce the ordinance, and on the theory that it was bound to keep its streets in a safe condition for travel. The Supreme Court of Colorado, in Addington *v.* Town of Littleton, 115 Pacific Reporter, 896, holds the city not liable on the ground that the duty imposed upon the marshal and police officers was imposed under the governmental powers of the town, and because the duty to keep its streets in safe condition was limited to their construction and maintenance and excluded the use thereof.

"Professor Smith, Healer"—"Walk in."—A sign reading as the above hung over the door of the "Healer's" office in Denver, Colorado. He claimed his treatment was a natural one—a gift from the Almighty; said he could cure any disease medical men could and many they could not. He belonged to the church of "The Divine Scientific Healing Mission;" preached the gospel and healed the sick without the use of drugs or a knife; some he charged, some he did not; never turned any one away. He could not tell whether patients had gout, measles, or rheumatism, but he could cure them—all he had to do was to lay his hands upon them. When indicted for "practicing medicine without a license," he claimed to come within the exemption of the statute providing that the practice of the religious tenets or general beliefs of any church whatsoever, not prescribing or administering drugs, should not be prohibited. The Supreme Court of Colorado, in Smith *v.* People 117 Pacific Reporter, 612, in denying the "Healer's" claim of exemption, holds that the statute did not authorize one, under cover of religion or religious exercise, to go into healing commercially for hire, using prayer as the curative

agency or treatment, and that such a practice was the practice of medicine within the plain meaning of the statute defining the "practice of medicine."

Deceptive Imitation of Telegram for Advertising Purposes.—Defendant, a manufacturer of advertising specialties, put out an envelope similar to those used by complainant telegraph company for telegrams, intending that the envelopes should be used for advertising purposes, the word "Telegram," printed thereon, being used to attract attention and to distinguish the envelopes, which were to be sent through the mail, from ordinary mail matter. Complainant sued to restrain such use, alleging that the envelopes were used to deceive the public and cause them to believe that they were the envelopes of the complainant, and that they contained messages transmitted over complainant's wires and delivered by complainant; that defendant's envelopes had been generally mistaken by the public, by the postal authorities, and especially by complainant's patrons, for the envelopes of the complainant, and had induced the public and complainant's patrons to give to the envelopes that prompt and immediate attention which was usually given to telegraphic messages; and that the same would cause annoyance to complainant's patrons and an injury to complainant's business. The United States Circuit Court, in Postal Telegraph-Cable Co. *v.* Livermore & Knight Co., 188 Federal Reporter, 696, holds that since the deception, if the use of such envelopes were deceptive at all, was merely momentary and not deceitful, complainant's claim of injury was derived entirely from inferences based on another inference, and that the facts were insufficient to establish actionable injury.

The Workman's Compensation Act Held Constitutional.—The Industrial Insurance Law, commonly known as "The Workman's Compensation Act," has been held constitutional by the Supreme Court of Washington in State *v.* Clausen, 117 Pacific Reporter, 1101. This act, which undertakes, by requiring contributions from employers to an accident or insurance fund, to provide fixed and certain relief for workmen injured in extra-hazardous work and for families and dependents regardless of questions of fault or negligence, to the exclusion of every other remedy or compensation, and which among other things, provides that no employer shall exempt himself from the burden or waive the benefits of the act by any contract, agreement, or regulation, and that any such contract or regulation shall be pro tanto void, is held not an interference with the right to contract, since there is no absolute right to do as one wills, pursue any calling one desires, or contract as one chooses, and since the term "liberty" means absence of arbitrary restraint, and not immunity from reasonable regulations and provisions imposed in the interests